



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/520,133

11/07/2005

Graeme Bilbe

BILBE1

7245

1444 7590 06/25/2008  
BROWDY AND NEIMARK, P.L.L.C.  
624 NINTH STREET, NW  
SUITE 300  
WASHINGTON, DC 20001-5303

EXAMINER

DUNSTON, JENNIFER ANN

ART UNIT

PAPER NUMBER

1636

MAIL DATE

DELIVERY MODE

06/25/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**UNITED STATES DEPARTMENT OF COMMERCE****U.S. Patent and Trademark Office**

Address : COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10520133		BILBE ET AL.	

**EXAMINER**

Jennifer Dunston

**ART UNIT****PAPER**

1636

20080612

DATE MAILED:

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner for Patents**

The reply filed on 3/10/2008 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): election of at least one gene selected from Tables 1 and 7 or Table 2, as required on page 3 of the Office action mailed 1/11/2008. Applicant elected the following as the at least one gene: GluR-A (M36418), NMDA R1 (L08228 Exon#22), NMDA R2 (AF001423), Glu-binding subunit (Grina) (S61973), Densin-180 (U66707), Begain (AF064868), CAMKII gamma (J04063), CAMKII beta (M16112), CAMKII inhibitor alpha (AA85862), Synapsin II (AI145494), SNAP-25A (AB003991), SNAP-25B (AB003992), VAMP2 (AI101103), Adenylyl cyclase 2 (AI145367), and Catechol O-methyltransferase (M93257). The elected invention requires genes to be selected from Tables 1 and 7 or Table 2. However, the combination of elected genes is not composed of genes selected from Tables 1 and 7 or genes selected from Table 2. For example, NMDA R1 (L08228 Exon#22) is only found in Table 6. GluR-A (M36418) is only found in Table 2, whereas NMDA R2 (AF001423) is only found in Table 7. Thus, none of the elected claims is readable upon the elected combination of genes. In response to this letter, Applicant must elect one combination of genes from Tables 1 and 7, or one combination of genes from Table 2 (because some of the genes are overlapping in the tables, it may be possible for Applicant to elect a combination of at least one gene found in Tables 1 and 7 and Table 2). The elected claims must be readable upon the elected at least one gene. See 37 CFR 1.111. Since the above-mentioned reply appears to be bona fide, applicant is given ONE (1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jennifer Dunston whose telephone number is 571-272-2916. The examiner can normally be reached on M-F, 9 am to 5 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Woitach can be reached at 571-272-0739. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

